

**CERTIFICATE OF MAILING****DATE OF DEPOSIT February 10, 2004**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date above indicated in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Philip A. Dalton, Reg. No. 26859  
(Name of Person Mailing Correspondence)

Philip A. Dalton  
(Signature of Person Mailing Correspondence)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **ANDREW J. TOTI**  
Application Serial No.: **10/634,132**  
Filing Date: **08/04/2003**  
For: **HINGE MECHANISM AND WINDOW COVER  
SYSTEM**

Attorney Docket:  
**50416.2**  
Art Unit: **3634**  
Examiner (Anticipated):  
**Johnson, Blair**

**THIRD AMENDMENT PRIOR TO EXAMINATION**

Mail Stop Patent Application  
Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

Sir:

Please delete the new first sentence of the specification included with the application filing papers dated 08/04/2003 under the heading "AMENDMENT PRIOR TO EXAMINATION."

Please insert the following as the first paragraph in the specification of the above-identified application:

This is a continuing application of US application serial number 09/846,500, filed 04/30/2001, now US patent 6,601,637, issued 08/05/2003; which is a continuing application of US application serial number 09/078,427, filed 05/13/1998, now US patent 6,223,804, issued 05/01/2001.

Respectfully submitted,

Philip A. Dalton 2/10/2004

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FEB 12 2004

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February 10, 2004

**AMENDMENT PRIOR TO EXAMINATION  
UNDER 35 CFR 1.121**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This AMENDMENT is being filed in the same envelope with the RESPONSE dated 02/10/2004 to the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION dated 11/04/2003 (hereafter "NOTICE").

This AMENDMENT includes sections titled PRELIMINARY REMARKS, CLAIM REVISIONS, DRAWING REPLACEMENT SHEETS, and SUMMARY AND REMARKS.

Respectfully submitted,  
LAW OFFICES OF PHILIP A. DALTON

BY Philip A. Dalton  
Philip A. Dalton, Attorney of Record, Reg. No. 26859

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USSN: 10/634,132  
Art Unit: 3634  
Examiner: Blair Johnson (Anticipated)

**AMENDMENT**  
Dated: 02/10/2004  
Page: 2 of 7

## **PRELIMINARY REMARKS**

### **1. Small Entity Status**

Applicant claims small entity status.

### **2. Small Entity Filing Fees**

After entry of this AMENDMENT, there will be 7 total claims (claims 1 and 24-29), of which 5 (claims 1, 24, 25, 26, and 28) are independent. There are no multiple dependent claims.

The associated small entity fee due is believed to be **\$536.00** (\$385.00 base fee + \$65.00 surcharge for late payment of fees and late filing of the inventor's declaration + \$86.00 for additional independent claims (2 x \$43.00, for five total independent claims, that is, two independent claims in excess of three)).

Enclosed is our check for \$536.00 in payment of the above-calculated filing fees.

Please charge any deficiency in the above or any other fees, charge any additional fees and credit any overpayment to deposit account 04-0039, ref 504162.